

**REMARKS**

**35 USC §§102 AND 103**

Claims 1-10, 12-20, 25-44, 46-55 and 59-64 are rejected under 35 USC §102(e), as being anticipated by Matayabas (US 6469379).

Claims 1-14, 16, 18-20, 22-23, 25-48, 50, 52-57 and 59-64 are rejected under 35 USC §102(b), as being anticipated by Mine et al (US 6040362).

Claims 1-15, 17-26, 35-49 and 51-60 are rejected under 35 USC §102(b), as being anticipated by Theodore (US 4292225).

Claims 1-5, 8-10, 12-15, 17-18, 25-39, 43-44, 46-49, 51-52 and 59-64 are rejected under 35 USC §102(b), and in the alternative under 35 USC §103(a), as being anticipated by Hanson (US 5950066).

Claims 21, 24, 55 and 58 are rejected under 35 USC §103(a) as unpatentable over Matayabas (US 6469379).

Claims 22 and 56 are rejected under 35 USC §103(a) as unpatentable over Matayabas (US 6469379) in view of Mine et al (US 6040362).

Claims 21 and 55 are rejected under 35 USC §103(a) as unpatentable over Hanson (US 5950066).

Claims 16 and 50 are rejected under 35 USC §103(a) as unpatentable over Hanson (US 5950066) in view of Matayabas (US 2003/0168731).

The Applicant respectfully disagrees.

Amended Claim 1 recites:

"A thermal interface composition, comprising:

at least two siloxane-based compounds, wherein each compound has a different solubility parameter in order to induce a phase separation between the at least two siloxane-based compounds,

at least one inorganic micro-filler material, wherein the filler is coated with hexamethyldisilazane, and

at least one thermally conductive filler material."

Amended Claim 35 recites:

"A method of forming a thermal interface material, comprising:

providing at least two siloxane-based compounds, wherein each compound has a different solubility parameter,

providing at least one inorganic micro-filler material, wherein the filler is coated with hexamethyldisilazane,

providing at least one thermally conductive filler material, and

combining the at least two siloxane-based compounds, the at least one inorganic micro-filler material and the at least one thermally conductive filler material, such that a phase separation is induced between the at least two siloxane-based compounds."

The Examiner has requested that the Applicants point to more than morphology in the claims. The Applicant herein amends the claims to state that the inorganic micro-

filler material is coated with hexamethyldisilazane. The specification discloses that the filler is pre-coated with hexamethyldisilazane, which makes the filler preferably compatible to only one type of polysiloxane. This preferable compatibility will help lead to the phase separation between the two phases. Since the Applicant has specifically called out a provision in claims 1 and 35 that is not found, taught, disclosed in or motivated by any of the cited references, *in re* Fitzgerald is no longer applicable.

As the Examiner knows, the Applicants do not need to necessarily reduce something to practice before filing an application, and the Applicants reject the Examiner's contention that this provision may be considered "speculation/opinion". The Applicants do not state in the specification that "the filler is pre-coated with hexamethyldisilazane, which may make the filler preferably compatible to only one type of polysiloxane", but in fact, the Applicants state that "the filler is pre-coated with hexamethyldisilazane, which makes the filler preferably compatible to only one type of polysiloxane".

The Applicant has repeatedly asked for a teleconference to discuss this issue, and to date, the Examiner has not met the Applicant halfway on this case. Another request is made herein for a teleconference, since the Applicants believe that this case could be quickly resolved and moved to allowance, if the Examiner and attorney of record discussed any remaining issues. If the Examiner would like an affidavit submitted in this case, then the Examiner should contact the undersigned attorney of record immediately – and one will be provided.

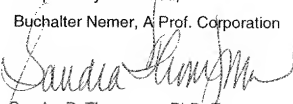
**REQUEST FOR ALLOWANCE & REQUEST FOR TELECONFERENCE**

Claims 1-64 are pending in this application, and the Applicant respectfully requests that the Examiner reconsider all of the claims in light of the arguments presented herein and allow the pending claims. In addition, the Applicant respectfully requests that the Examiner contact the undersigned Attorney-of-Record to discuss this matter through the interview process, if this case is not put in condition for allowance through this response. The Applicant would like to resolve this matter as quickly as possible.

Respectfully submitted,  
Buchalter Nemer, A Prof. Corporation

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By:



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